

U.S. Department of Education

**Staff Report
to the
Senior Department Official
on
Recognition Compliance Issues**

RECOMMENDATION PAGE

1. **Agency:** Commission on Massage Therapy Accreditation (2002/2004)
(The dates provided are the date of initial listing as a recognized agency and the date of the agency's last grant of recognition.)
2. **Action Item:** Compliance Report
3. **Current Scope of Recognition:** The accreditation of institutions and programs in the United States that award postsecondary certificates, postsecondary diplomas, academic Associate degrees and occupational Associate degrees, in the practice of massage therapy, bodywork, and aesthetics/esthetics and skin care, including components of programs which are offered through distance learning modalities.
4. **Requested Scope of Recognition:** The accreditation of institutions and programs in the United States that award postsecondary certificates, postsecondary diplomas, academic Associate degrees and occupational Associate degrees, in the practice of massage therapy, bodywork, and aesthetics/esthetics and skin-care, including components of programs which are offered through distance learning modalities.
5. **Date of Advisory Committee Meeting:** December, 2012
6. **Staff Recommendation:** Remove distance education from the agency's scope of recognition and renew the agency's recognition for three years.

Require the agency to clarify its expectations in its materials regarding currency of practice for those individuals it assigns to the practitioner role on site review teams, to seek further afield for currently practicing professionals to serve in that role, and to submit an update report on these issues for staff review within six months.

7. **Issues or Problems:** It does not appear that the agency meets the following sections of the Secretary's Criteria for Recognition. These issues are summarized below and discussed in detail under the Summary of Findings section.

-- The agency needs to provide documentation of its effective review of distance education, to include review of how its institutions/programs provide the required number of clock hours in the portion of programs offered via distance education. Since the agency has been found out of compliance with this criterion, staff recommend that the agency's scope be revised to no longer include the evaluation of distance education. Should the agency want to have distance education included in its scope, it will need submit an application for an expansion of scope as provided under 602.31(b). [§602.16(b)(c)]

EXECUTIVE SUMMARY

PART I: GENERAL INFORMATION ABOUT THE AGENCY

The Commission on Massage Therapy Accreditation (COMTA) was created in response to massage therapy and bodywork educators' desire that rigorous standards be applied to institutions of massage therapy and bodywork. COMTA has conducted accrediting activities since 1992. In 1996, an elected commission was seated. Since 1996, COMTA has granted accreditation to 61 institutions and six programs located in 25 states, the District of Columbia, and Canada. As an institutional accreditor, whose accreditation enables the institutions it accredits to seek eligibility to participate in the federal student financial aid programs administered by the Department of Education, the agency must meet the separate and independent requirements.

Recognition History

The agency was originally recognized in 2002 and last recognized in 2004. At that time, the Secretary granted the agency recognition for a period of five years and granted the agency's request for an expansion of scope to include its accreditation of academic associate degree programs in massage therapy.

COMTA requested in April 2009, in accordance with the requirements of the Higher Education Opportunity Act, that distance education be added to its scope of recognition.

In December 2010 the NACIQI reviewed COMTA's petition for continued recognition and recommended to continue the agency's recognition and require the Commission to submit a compliance report in 12 months that demonstrates the agency's compliance with 13 issues. That compliance report is the subject of this analysis.

PART II: SUMMARY OF FINDINGS

§602.15 Administrative and fiscal responsibilities

The agency must have the administrative and fiscal capability to carry out its accreditation activities in light of its requested scope of recognition.

The agency meets this requirement if the agency demonstrates that--

(a) The agency has--

(3) Academic and administrative personnel on its evaluation, policy, and decision-making bodies, if the agency accredits institutions;

During its last review of the agency, Department staff found that COMTA had failed to provide documentation to demonstrate that its evaluation and appeals bodies routinely include both academic and administrative personnel when reviewing institutions. In its compliance report, the agency has provided information about two members of one of its site teams and two members of an appeals body, which shows that each included an administrator and an academic. However, this documentation is insufficient to demonstrate that site review teams routinely include both academic and administrative personnel. In addition, the documentation provided here and for the following criterion includes information forms wherein individuals self-identify as qualified to fill multiple roles (exhibits 02b, 08 and 09) in spite of the agency's directions to select a single role. It is not clear how the agency makes consistent assignments to a specific category.

Because the agency has had only one appeal, the documentation of the appeals panel is sufficient to demonstrate that it had appropriate representation.

Analyst Remarks to Response:

In response to the draft staff analysis, COMTA provided its Directory of Peer Reviewers (Exhibit 50) which includes the bios and qualifications for each reviewer. The agency also detailed its process for the selection of its academic and administrator reviewers for each site visit that demonstrates that its site review teams routinely include both academic and administrative personnel when reviewing institutions. COMTA provided supporting documentation such as a list of team visitors for specific site visits that verify the process used by the agency to assure that qualified academic and administrator site team members are used. The agency's narrative also clarifies the process used by the Executive Director to choose academic and administrator site team members. Staff accepts the agency's argument in support of its practice of allowing an individual to fulfill a different role on various site teams, given that the individuals are qualified to fulfill more than one role, and that team members are selected to balance complementary skills.

(4) Educators and practitioners on its evaluation, policy, and decision-making bodies, if the agency accredits programs or single-purpose institutions that prepare students for a specific profession;

During its last review of the agency, Department staff found that COMTA had failed to provide documentation to demonstrate that its evaluation and appeals bodies routinely include both educator and practitioner representatives when reviewing programs. In its compliance report, the agency has provided information about two members of one of its site teams and two members of an appeals body, which shows that each included an educator and practitioner . However, this documentation is insufficient to demonstrate that site review teams routinely include both educator and practitioner representatives. As noted in 602.15(a)(3), it is not clear how the agency makes consistent assignments to a specific category given that individuals self-identify as qualified to fulfill multiple roles. Because the agency has had only one appeal, the documentation of the appeals panel is sufficient to demonstrate that it had appropriate representation.

Analyst Remarks to Response:

In response to the draft staff analysis, COMTA provided its Directory of Peer Reviewers (Exhibit 50) which includes the bios and qualifications of its educator and practitioner reviewers. Almost all of the individuals are licensed to practice in the areas covered by COMTA accreditation, and are also involved in education or educational administration. In its narrative, the agency detailed its process for the selection of its educator and practitioner reviewers for each site visit. COMTA also provided supporting documentation such as a list of team visitors for specific site visits that the agency states assures that qualified educator and practitioner site team members are used. The agency's practice is to allow an individual to fulfill a different role on various site teams, given that the individuals are qualified to fulfill more than one role, and that team members are selected to balance complementary skills. The agency argues that the pool from which it is able to draw reviewers is small and that the institutions/programs it accredits tend to be small operations, wherein individuals serve in various capacities.

However, it is not clear that the agency defines a practitioner representative consistently throughout its policies, procedures and guidelines. While the agency's by-laws define a practitioner (in a way that accords with the Department's guidance) as someone "whose primary work shall be in direct service provision to clients in their professional activities" it does not define practitioner in any material directly related to the site team. For example, its Peer Review Team Member and Site Visitor Qualifications document lists four roles on a peer review team: Content, Education, Administrative, and Management. The Content specialist is someone with "experience as a massage or aesthetics practitioner, respective to the program being reviewed", with no further requirements regarding the currency of the experience. The agency's Site Review Team Guide and its Procedures Manual do not define practitioner representative, educator representative, academic representative and

administrator representative, though they do indicate for which Standards each is given primary and secondary responsibility. The content and education specialist have primary and secondary responsibility, respectively, for Standard 2, with the content specialist specifically reviewing Competencies. The six competencies, as outlined in the agency's standards, each consist of numerous elements that define, in detail, what a practitioner needs to know and do. Having the practitioner on the team responsible for evaluation of the competencies clearly differentiates that individual's role from that of the educator.

The bios of reviewers indicate that those serving as practitioners are licensed professionals; however, it is not possible to determine from those materials whether the individuals are currently engaged in practice. The Department expects that the individuals filling the practitioner role on site teams will be able to bring that perspective to the review. It is evident that great care is taken by the agency to constitute teams of well-qualified individuals, and to differentiate their roles on the team. That being the case, and given the constraints described above, the agency can be found minimally in compliance with this criterion. However, staff recommends that the agency clarify its expectations in its materials regarding currency of practice for those individuals it assigns to the practitioner role, and that it seek further afield for currently practicing professionals to serve in that role. The agency should submit an update report on these issues for staff review within six months.

§602.16 Accreditation and preaccreditation standards

(a) The agency must demonstrate that it has standards for accreditation, and preaccreditation, if offered, that are sufficiently rigorous to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits. The agency meets this requirement if -

- (1) The agency's accreditation standards effectively address the quality of the institution or program in the following areas:**

(b) If the agency only accredits programs and does not serve as an institutional accrediting agency for any of those programs, its accreditation standards must address the areas in paragraph (a)(1) of this section in terms of the type and level of the program rather than in terms of the institution.

(c) If the agency has or seeks to include within its scope of recognition the evaluation of the quality of institutions or programs offering distance education or correspondence education, the agency's standards must effectively address the quality of an institution's distance education or correspondence education in the areas identified in paragraph (a)(1) of this section. The agency is not required to have separate standards, procedures, or policies for the evaluation of distance education or correspondence education;

During its last review of the agency, the Department found that COMTA had not clearly established how distance education is assessed in the context of an institution's/program's compliance across its standards. In its compliance report, COMTA describes how it has clearly established its evaluation process of distance education in the context of its standards through its revised guidance in its Self Study Report and Team Report Template. The agency provided a copy of the revised Self Study Report which makes clear what information (including descriptive narrative and supporting documentation) the program must provide to demonstrate compliance with each component of the agency's distance education standard. This detailed and comprehensive guidance requires programs to, for example, describe how the interaction between students and faculty is structured and timed; how faculty are trained in distance education delivery; the technical support system for faculty and students; and how student advising, career guidance and other services are provided to distance education students.

The agency also provided its definitions of key terms to include "synchronous", "asynchronous", "hybrid", "distance education", and "correspondence education." The definition of correspondence education makes clear that COMTA does not accredit correspondence education. COMTA has also revised its Team Report Template, which presumably provides guidance to the site review team on how to evaluate the evidence contained in the self-study report and information reviewed onsite. However, it did not include a copy of that document in its submission, as it had not yet been approved by the Commission. In order to determine whether the agency is in compliance with this criterion, staff will need to review the team report template.

The agency reports that it has not had the opportunity to demonstrate the application of this requirement under their revised distance education evaluation policies and procedures.

Analyst Remarks to Response:

In response to the draft staff analysis COMTA provided a copy of its revised Team Report Template (Page 12 Exhibit 51 COMTA Team Report April 2012) which includes specific tasks for verification of Distance Education components during a site team review, and supporting documentation including; training materials and its Peer Review Manual (Exhibit 49) verifying that the revised documents have been adopted by the full commission. As noted previously, the guidance provided to programs in developing their self study is detailed and comprehensive. The revised materials give site reviewers the information and tools needed for them to assess distance education in the context of an institution's/program's compliance across its standards.

However, staff are concerned that the majority of institutions/programs the agency accredits are clock hour institutions/programs. Although the citation of the agency on this criterion of necessity required a full explication of the

agency's accreditation of distance education, the agency's compliance report and documentation do not show that the agency's review of distance education ensures that the required number of clock hours are offered. In addition, has not had an opportunity to conduct a distance education review using its new materials and, therefore, has not been able to document its effective evaluation of distance education.

Staff notes that the agency accredits very few institutions that provide a portion of their programs by distance education. Therefore, it is highly unlikely that the agency would be able to demonstrate compliance with this criterion if it were granted an extension for good cause.

Distance education was included in the agency's scope as a result of the agency's notification to the Secretary in 2009. Since the agency has been found out of compliance with this criterion, staff recommend that the agency's scope be revised to not include the evaluation of distance education. Staff note that the agency's policies preclude the offering of more than 25% of a program via distance education. Since the Department requires that an institution offering 50% or more of a program by distance education be recognized for the evaluation of distance education, removing distance education from the agency's recognized scope would not have an adverse impact on any of its institutions Title IV eligibility. Should the agency want to have distance education included in its scope in the future, it would be advisable for the agency to submit an application for an expansion of scope as provided under 602.31(b), to safeguard against adverse consequences to its accredited entities in the event its distance education review again falls short.

§602.17 Application of standards in reaching an accrediting decision.

The agency must have effective mechanisms for evaluating an institution's or program's compliance with the agency's standards before reaching a decision to accredit or preaccredit the institution or program. The agency meets this requirement if the agency demonstrates that it--

(g) Requires institutions that offer distance education or correspondence education to have processes in place through which the institution establishes that the student who registers in a distance education or correspondence education course or program is the same student who participates in and completes the course or program and receives the academic credit. The agency meets this requirement if it--

(1) Requires institutions to verify the identity of a student who participates in class or coursework by using, at the option of the institution, methods such as--

(i) A secure login and pass code;

(ii) Proctored examinations; and

(iii) New or other technologies and practices that are effective in verifying student identity; and

(2) Makes clear in writing that institutions must use processes that protect student privacy and notify students of any projected additional student charges associated with the verification of student identity at the time of registration or enrollment.

During the last review of the agency, COMTA did not identify and demonstrate effective application of its assessment of the adequacy of an institution/programs verification of student identity when providing distance education. In its compliance report, the agency identified its revised standards, and process to assess the adequacy of an institution's/program's verification of student identity when providing distance education. The agency provided documentation of its review of this requirement under its previous standards.

The documentation provided is sufficient to demonstrate how it performs its review of this requirement to verify student identity.

§602.19 Monitoring and reevaluation of accredited institutions and programs.

(b) The agency must demonstrate it has, and effectively applies, a set of monitoring and evaluation approaches that enables the agency to identify problems with an institution's or program's continued compliance with agency standards and that takes into account institutional or program strengths and stability. These approaches must include periodic reports, and collection and analysis of key data and indicators, identified by the agency, including, but not limited to, fiscal information and measures of student achievement, consistent with the provisions of §602.16(f). This provision does not require institutions or programs to provide annual reports on each specific accreditation criterion.

During the last review of the agency, the Department found that the agency needed to demonstrate that its monitoring of its accredited programs and institutions is effective in identifying problems with an institution's or program's continued compliance with agency standards.

In its compliance report, the agency noted that it had revised its Annual Report form, which is its primary monitoring instrument. The form now requires institutions to provide more detailed financial information, and both institutions and programs to report on student outcomes data and provide reasons for low rates and specific actions taken to improve them, and to describe any changes made, for example, to mission, curriculum, facilities, and student services. This addresses the previous concerns regarding adequacy of the information

collected to assess continued compliance with agency standards. However, it appears that the agency does not collect and assess financial/fiscal information from its programs, which is a requirement of this criterion. In the documentation provided of annual reports from two programs, neither reported fiscal information. It appears that only those institutions that use COMTA accreditation for access to Title IV funding are required to report fiscal information. Department staff note, however, that the agency did not provide annual reports from any institutions that would verify this assumption.

Other monitoring activities include; for example, its review and approval of substantive changes (602.22(a)(1), and unannounced visits to institutions. The agency's approach is to target and apply increased monitoring/reporting of specific schools that are not meeting agency standards/expectations.

The agency provided annual reports from two programs and decision letters to demonstrate that it collects and follows up on a variety of reporting areas including for example, student achievement, retention and job placement data.

Analyst Remarks to Response:

In response to the draft staff analysis COMTA provided its Annual Report Form (Exhibit 52), showing that it requires its programs/institutions to submit budgets, as well as copies of budgets provided by institutions. The agency also provided copies of staff analyses of annual reports (Exhibits 55 - 57) demonstrating that the agency collects and analyses financial information on an annual basis.

(c) Each agency must monitor overall growth of the institutions or programs it accredits and, at least annually, collect headcount enrollment data from those institutions or programs.

During the last review of the agency, COMTA was not able to fully comply with the criterion until the proposed modification and revisions to its annual report had been finalized and implementation is documented.

In its compliance report, the agency provided a description of its process to collect and evaluate enrollment and attrition data as part of its ongoing monitoring of overall program and institutional growth.

The agency also provided documentation demonstrating application of this requirement.

(d) Institutional accrediting agencies must monitor the growth of programs at institutions experiencing significant enrollment growth, as reasonably defined by the agency.

During the last review of the agency, the Department found that COMTA needed to demonstrate that it annually collects and monitors headcount enrollment data of programs at institutions experiencing significant enrollment growth. In its compliance report, the agency provided documentation that demonstrates that it annually collects and monitors headcount enrollment data from its institutions and programs. The agency has clarified and clearly states that it considers a 20% growth in institutional enrollment to constitute significant enrollment growth. The agency's supporting documentation demonstrates its collection of the data and that it requires the institution to indicate the reasons for the growth. Also, the annual report form requires that an institution report on enrollment for each of its programs, as well as overall institutional enrollment, providing a mechanism for monitoring the growth of programs.

§602.20 Enforcement of standards

(b) If the institution or program does not bring itself into compliance within the specified period, the agency must take immediate adverse action unless the agency, for good cause, extends the period for achieving compliance.

During the last review of the agency, it was unclear to the Department how COMTA used probation and show cause. The agency also needed to provide evidence that demonstrates that it takes immediate adverse action when institutions/programs do not comply, timely, with agency requirements.

In its compliance report, the agency provided a copy of its revised policies that now include a provision for good cause extensions. These revisions (Exhibit 22 Policies and Procedures Manual) clarify what would constitute good cause, and include the time limits the agency would allow the institution to come into compliance (within the next two regularly scheduled Commission meetings).

The agency also provided documentation demonstrating that it takes immediate adverse action when institutions/program do not comply, timely, with agency requirements. The documentation of the revocation action (exhibit 19) is responsive to this criterion as revocation is an adverse action. In this case, the agency did not provide for a good cause extension. Rather, it acted timely to revoke accreditation following a six-month period of probation and issuance of a show cause order.

§602.22 Substantive change.

(a) If the agency accredits institutions, it must maintain adequate substantive change policies that ensure that any substantive change to the educational mission, program, or programs of an institution after the agency has accredited or preaccredited the institution does not adversely affect the capacity of the institution to continue to meet the agency's standards. The agency meets this requirement if--

(1) The agency requires the institution to obtain the agency's approval of the substantive change before the agency includes the change in the scope of accreditation or preaccreditation it previously granted to the institution; and

During the last review of the agency, it was found that COMTA needed to amend and clarify its substantive change procedures to reflect that decisions made by the full Commission are required before the change is included in the institution's grant of accreditation. It also needed to demonstrate its effective application of its review and approval of substantive change requests.

In its compliance report, the agency provided documentation that demonstrates its effective application of its review and approval procedures of two types of substantive change requests that fall under the criteria for recognition. The documentation also demonstrates that it is the Commission that makes decisions on substantive changes.

(3) The agency's substantive change policy must define when the changes made or proposed by an institution are or would be sufficiently extensive to require the agency to conduct a new comprehensive evaluation of that institution.

During the last review of the agency, COMTA did not demonstrate that it has identified under what conditions or circumstances of change it will require a full and comprehensive evaluation of the institution. In its compliance report the agency provided its revised policy, which had not yet been formally adopted by the Commission. COMTA's revised policies have identified when changes made or proposed by an institution are or would be sufficiently extensive to require the agency to conduct a comprehensive total reevaluation of that institution.

Analyst Remarks to Response:

In response to the draft staff analysis COMTA provided its adopted revised policies (Exhibit 58, Policies and Procedures Manual August 2012, page 12) demonstrating that it has identified under what conditions or circumstances of change it will require a full and comprehensive evaluation of the institution. Specifically, the agency's policy states that an institution or program will be subject to a comprehensive review modeled after the renewal of accreditation

process when the Substantive Changes within one accreditation cycle include change of control, change of leadership, and H change in name or location. The agency states that it has not had an opportunity to apply its new policy.

§602.23 Operating procedures all agencies must have.

(c) The accrediting agency must--

(1) Review in a timely, fair, and equitable manner any complaint it receives against an accredited institution or program that is related to the agency's standards or procedures. The agency may not complete its review and make a decision regarding a complaint unless, in accordance with published procedures, it ensures that the institution or program has sufficient opportunity to provide a response to the complaint;

(2) Take follow-up action, as necessary, including enforcement action, if necessary, based on the results of its review; and

(3) Review in a timely, fair, and equitable manner, and apply unbiased judgment to, any complaints against itself and take follow-up action, as appropriate, based on the results of its review.

During the last review of the agency, COMTA did not provide any documentation of the institution's response to the complaint or the agency's review of it, nor was any documentation of the agency's closure of the complaint provided, which would provide evidence of its effective application of its complaint procedures.

In its compliance report the agency provided documentation of its investigation and resolution of a complaint in accordance with its policies. The documentation demonstrates that it reviews complaints in a timely and equitable manner and takes follow-up action as necessary, based on the results of its review.

§602.24 Additional procedures certain institutional accreditors must have.

If the agency is an institutional accrediting agency and its accreditation or preaccreditation enables those institutions to obtain eligibility to participate in Title IV, HEA programs, the agency must demonstrate that it has established and uses all of the following procedures:

(2) The agency must evaluate the teach-out plan to ensure it provides for the equitable treatment of students under criteria established by the agency, specifies additional charges, if any, and provides for notification to the students of any additional charges.

During the last review of the agency, the Department found that the agency needed to provide evidence of a review process that includes criteria by which it will assess and determine that the teach-out plan provides for the equitable treatment of students and on what basis its determination. In its compliance report the agency provided documentation demonstrating its review process that includes criteria by which it assesses and determines that the teach-out plan provides for the equitable treatment of students, for example, that the teach-out plans for notifications and additional charges are appropriate and reasonable, or the school clearly demonstrated that the currently enrolled students will be treated equitably if the school closes as a result of revocation of accreditation.

(5) The agency must require an institution it accredits or preaccredits that enters into a teach-out agreement, either on its own or at the request of the agency, with another institution to submit that teach-out agreement to the agency for approval. The agency may approve the teach-out agreement only if the agreement is between institutions that are accredited or preaccredited by a nationally recognized accrediting agency, is consistent with applicable standards and regulations, and provides for the equitable treatment of students by ensuring that--

(i) The teach-out institution has the necessary experience, resources, and support services to--

(A) Provide an educational program that is of acceptable quality and reasonably similar in content, structure, and scheduling to that provided by the institution that is ceasing operations either entirely or at one of its locations; and

(B) Remain stable, carry out its mission, and meet all obligations to existing students; and

(ii) The teach-out institution demonstrates that it can provide students access to the program and services without requiring them to move or travel substantial distances and that it will provide students with information about additional charges, if any.

During the last review of the agency, COMTA did not provide any documentation of a review and approval process, such as what review indicators it will apply to ascertain the viability of the teach-out agreement to provide students with an alternative educational offering.

In its compliance report, the agency provided revised policies and supporting documentation along with a description of its mechanism for assessing teach-out agreements, and the criteria that the Commission has identified and applies as effective indicators for assessing that a teach-out institution meets the quality

parameters identified in this section of the criteria.

The agency reports that it has not had the opportunity to apply the requirements of this section since its last review by the Department in the fall of 2010.

PART III: THIRD PARTY COMMENTS

The Department did not receive any written third-party comments regarding this agency.